

For reasons unknown to applicant and applicant's attorney, the Office Action issued July 19, 2001 was mailed directly to applicant in Greece rather than to applicant's undersigned attorney in New York. The original declaration filed with the application includes on page 2 a power of attorney appointing the undersigned (and others) as attorneys to represent applicant in connection with the prosecution of this application. Thus the July 19 Office Action should have been mailed to the attorneys of record, but was instead mistakenly mailed directly to applicant in Greece.

Applicant's patent attorney in Greece contacted the undersigned and advised that an Office Action dated July 19, 2001 had been sent directly to applicant. Upon learning of this mistake, the undersigned conferred by telephone with the Examiner and requested re-mailing of the Office Action to the attorneys of record together with resetting of the two-month period for response. This was done, and the Examiner re-mailed the Office Action to the attorneys of record on August 30, 2001, thereby making a response due October 30, 2001. In response to the August 30 Office Action, the undersigned timely filed a response by mailing certificate dated October 30, 2001.

As a precautionary measure to avoid abandonment of the application, applicant's patent attorney in Greece responded to the July 19 Office Action and sent a response

directly to the Patent Office. In view of the terrorist attacks on the World Trade Center on September 11 and the closing of downtown Manhattan, applicant's patent attorney in Greece filed the response to avoid inadvertent abandonment of the application due to her inability to communicate with the attorneys of record. That response should not have been entered by the Patent Office or considered by the Examiner because (1) it was responding to the July 19 Office Action which had been superseded by the August 30 Office Action, and (2) it was filed by someone other than applicant or applicant's appointed attorneys of record.

The response filed by the undersigned by mailing certificate on October 30, 2001 is fully responsive to the August 30 Office Action and places the application in proper formal condition for allowance. The response is also believed to address and obviate the informalities noted by the Examiner in the December 6 Office Action.

In view of the foregoing, applicant respectfully requests that the response to the July 19, 2001 Office Action not be considered since the Office Action itself was improperly mailed to applicant rather than applicant's attorneys and has been superseded by the August 30 Office Action, that the response to the August 30, 2001 Office Action be considered and acted upon by the Examiner, and that the December 6, 2001 Office Action be vacated as having been

improperly issued since it is responding to a response that should have not been entered or considered.

In view of the foregoing, favorable consideration of the response filed by mailing certificate on October 30, 2001 together with passage of the application to issue are respectfully requested.

Respectfully submitted,

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DECEMBER 17, 2001